IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5727 of 2005

Between:

Kondaveeti Lalitha kumari W/o Late Sundar Rao
R/o H. No. 9-1-214/1, Shanthi Nagar, Bhadrachalam, Khammam District

... PETITIONER

AND

1 The Executive Officer, Srirama Divyakshetra Town Ship (Gram Panchayat) Bhadrachalam, Khammam District
2 The Revenue Divisional Officer, Bhadrachalam, Khammam District
3 The Mandal Revenue Officer, Bhadrachalam, Khammam District
4 The Assistant Engineer, Electricity Department, Bhadrachalam, Khammam District
5 Gangi Reddy Lakshmi W/o Ramana Reddy (BPL Employee) R/o Gollabazar, Bhadrachalam, Khammam District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not passing orders on petitioner's representation dt 3-3-2005 and not taking action against the 5th respondent herein for doing illegal construction without obtaining prior permission from the 1st respondent is illegal and void and opposed to Articles 14, 19, 21 and 300-A of the Constitution of India and consequently to direct the respondents to take action forthwith against the 5th respondent herein to stop the illegal construction in the petitioner's land i.e. Sy.No. 20/105 to an extent of 7 cents equivalent to 348 Sq. yds of Gollabazar, Bhadrachalam Khammam District.

Counsel for the Petitioner: MR.MUMMANENI.SRINIVASA RAO
Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed aggrieved by the alleged action of the first respondent-Executive Officer in not considering the representation made by the petitioner dated 03-03-2005 complaining about certain unauthorized constructions being made by the fifth respondent in Sy.No.20/105 to an extent of 7 cents equivalent to 348 square yards of Gollabazar, Bhadrachalam, Khammam District.

Having heard the learned counsel for the petitioner, the learned Government Pleader for Revenue appearing for the respondents 1 to 4 and having regard to the nature of the controversy involved in the writ petition, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent-Executive Officer to consider the representation of the petitioner dated 03-03-2005 and pass appropriate orders, in accordance with law, after affording due opportunity to the fifth respondent to rebut the allegations made by the petitioner, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

G. ROHINI, J

Dated: 21-03-2005

Note: Furnish C.C. in three days

B/o.

LSK

To

1 The Executive Officer, Srirama Divyakshetra Town Ship (Gram Panchayat) Bhadrachalam, Khammam District
2 The Revenue Divisional Officer, Bhadrachalam, Khammam District
3 The Mandal Revenue Officer, Bhadrachalam, Khammam District
4 The Assistant Engineer, Electricity Department, Bhadrachalam, Khammam District
5 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad.(OUT)

6 Two C.D. copies.